

DECLARATION OF ROBERT A. SELDON

I, Robert A. Seldon, declare:

1. I am member of the bar of the State of California, registered to practice before the United States Patent and Trademark Office, and am the attorney representing Dennis Chisum, a named inventor in patent application serial no 09/844,133, filed April 25, 2001, entitled "Abrasivejet Nozzle and Insert Therefor."

2. I submit this Declaration pursuant to 37 CFR 1.47 because co-inventor Perry Freeborn is refusing to join in the above-captioned application, and to execute the required Declaration.

3. I prepared the above-identified patent application and filed it on April 25, 2001.

4. Under cover of a letter dated July 18, 2001, I provided a joint declaration and power of attorney to Dennis Chisum, a co-inventor for signature with a request that he in turn forward the document to Perry Freeborn, the other co-inventor. I subsequently received a telephone call from Mr. Freeborn, requesting that I contact an attorney named Lowell V. Ruen in Spokane, Washington. On or about August 15, 2001, I contacted Mr. Ruen. Mr. Ruen confirmed that he represented Mr. Freeborn, and requested that I fax a copy of the patent application to him. I promptly faxed him a copy of the patent application.

5. On August 17, 2001, I received a call from Mr. Ruen advising that he had not received a copy of the letter of transmittal sent to the Patent Office with the patent application. I promptly faxed him a copy of the letter of transmittal. A letter confirming the aforesaid was sent to Mr. Ruen and a true and correct copy thereof is attached as Exhibit A. During the

telephone conversation, and as confirmed by Exhibit A, I advised Mr. Ruen that Mr. Freeborn needed to sign and return the declaration and power of attorney. As also confirmed in Exhibit A, Mr. Ruen stated he would be out of the office during the following week, but would meet with Mr. Freeborn upon his return and telephone me on September 7 to advise me of the status of the matter. I advised Mr. Ruen I would obtain a thirty-day extension to file the Declaration in view of the fact that I would be unable to file the Declaration by the then-due date of August 21, 2001.

6. On August 17, 2001, I filed a request for a one month continuance of time to respond to the Notice of Missing Parts. A true and correct copy of which is attached as Exhibit B.

7. On September 7, 2001 Mr. Ruen telephoned me and spoke with me by speakerphone. He advised me that Mr. Freeborn was sitting in the room with him, and Mr. Freeborn and I exchanged greetings. During the conversation, I advised Mr. Ruen that it was in Mr. Freeborn's interest to avoid abandonment of the patent application by signing and filing the Declaration I had provided. Mr. Ruen remained non-committal, and Mr. Freeborn said nothing.

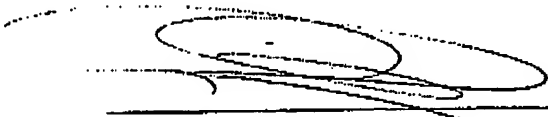
8. Since that telephone conversation on September 11, I have telephoned Mr. Ruen on four separate days. In each instance, I was advised by the person answering the telephone that Mr. Ruen was not available, and I left a voice mail message advising Mr. Ruen of the upcoming deadline for filing the Declaration, and requesting a call-back so that he could

advise me of the status of the matter. Mr. Ruen has not returned any of my telephone calls. The Rules of Ethics of the California State Bar prevent me from communicating directly with Mr. Ruen's client, Mr. Freeborn, since Mr. Freeborn is represented by counsel in this matter.

9. I have not received any Declaration signed by Mr. Freeborn respecting the above-identified patent application or any other document related to the aforesaid patent application from Mr. Freeborn or his attorney, Mr. Ruen.

10. I have been a practicing attorney since 1975, and have negotiated with others on behalf of clients for substantially that entire period. In my experience, Mr. Ruen's failure to return phone calls, coupled with Mr. Ruen's and Mr. Freeborn's non-committal nature during our telephone conversation of September 11, indicate to me that Mr. Freeborn is not willing to sign the Declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at Santa Monica, California on September 20, 2001.


Robert A. Seldon